

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF CALIFORNIA**

**NOTICE OF DOCUMENT DISCREPANCIES**

FILED

08 APR 15 fm 9:14

Clerk's Office File Stamp

JUDGE JANIS L SAMMARTINO

TO:  U. S. DISTRICT JUDGE /  U. S. MAGISTRATE JUDGE      Judge Janis L Sammartino  
 FROM: J. Hinkle, Deputy Clerk      RECEIVED DATE: 4/11/08  
 CASE NO.: 08cv0021-JLS(BLM) DOCUMENT FILED BY: Peter Blair  
 CASE TITLE: Strasburg v M/Y Just a Notion et al  
 DOCUMENT ENTITLED: Declaration

Upon the submission of the attached document(s), the following discrepancies are noted:

<input checked="" type="checkbox"/> Local Rule	<i>Discrepancy</i>
<input type="checkbox"/> 5.1	Missing time and date on motion and/or supporting documentation
<input type="checkbox"/> 5.3	Document illegible or submitted on thermal facsimile paper
<input type="checkbox"/> 5.4	<b>Document not filed electronically. Notice of Noncompliance already issued.</b>
<input type="checkbox"/> 7.1 or 47.1	Date noticed for hearing not in compliance with rules/Document(s) are not timely
<input type="checkbox"/> 7.1 or 47.1	Lacking memorandum of points and authorities in support as a separate document
<input type="checkbox"/> 7.1 or 47.1	Briefs or memoranda exceed length restrictions
<input type="checkbox"/> 7.1	Missing table of contents
<input type="checkbox"/> 15.1	Amended pleading not complete in itself
<input type="checkbox"/> 30.1	Depositions not accepted absent a court order
<input type="checkbox"/>	Supplemental documents require court order
<input type="checkbox"/>	Default Judgment in sum certain includes calculated interest
<input checked="" type="checkbox"/> X	<u>OTHER: Not in Pleading format. No proper proof of service, only a listing of fax numbers</u>

*Document not filed through attorney of record.*

Date forwarded: 4/11/08

**ORDER OF THE JUDGE / MAGISTRATE JUDGE**

**IT IS HEREBY ORDERED:**

- The document is to be filed nunc pro tunc to date received.
- The document is NOT to be filed, but instead REJECTED. and it is ORDERED that the Clerk serve a copy of this order on all parties.
- Rejected document to be returned to pro se or inmate?  Yes. Court Copy retained by chambers

Counsel is advised that any further failure to comply with the Local Rules may lead to penalties pursuant to Local Rule 83.1

CHAMBERS OF: Sammartino

Dated: 4/14/2008  
 cc: All Parties

By: Chs

**REJECTED**

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF CALIFORNIA  
U.S. Courts Building  
940 Front St., San Diego, CA

April 7, 2008

RE: M/V 'Just A Notion' Case 3:08-cv-00021-JLS-BLM

Judge: Hon. Janis L. Sammartino  
Mag.: Hon. Barbara Lynn Major

## DECLARATION

Peter Blair, David Moniz and Kim Warner submit the following declarations;

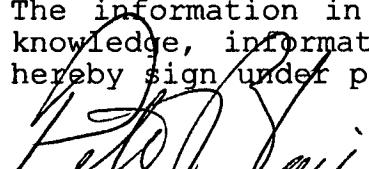
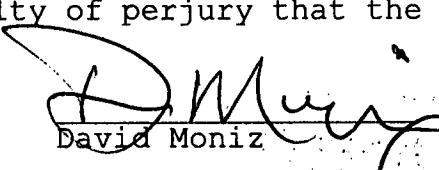
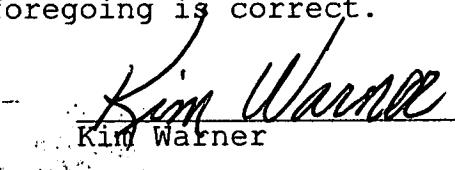
Over a month ago, we submitted to our Attorney Michael McDonnell, a list that was in response to the Order by your Honor on February 5<sup>th</sup>, 2008. This list, herein included, was to be for "specialized maintenance" of the vessel. On Friday of last week, we realized that our Attorney had not submitted this information to the Plaintiff or to Your Honor. Additionally, Peter Blair was told by our Attorney that Dave Moniz, Kim Warner and or Peter Blair would not be allowed to board the vessel for inspection. Our Attorney stated that the Plaintiff stated that no persons from the Yacht Club LLC, especially Peter Blair, will ever be allowed to board the vessel.

We do not understand how Your Honors' Order can be dismissed and not obeyed. Further, we find it very difficult to acquire unbiased legal representation due to comments by our attorney and the Plaintiff's Attorney, which have poisoned the minds of potential legal maritime attorneys, this seems to be a small fraternity of Attorneys.

Over the past two plus years, we have spent all our time and money on the Yacht Club LLC and related business ventures. Many of these efforts are represented by the Claim of Lien filed with Your Honor and the Court as well as our recent accounting of "March 13, 2008 Revision 21" included herein, which represents more than \$500,000 USD spent after 2005 and independent of any Plaintiff's funds. 99% of the goods and services from this 3-year period, have been paid for and are installed on board the vessel.

Our living habitat, trade tools, specialty equipment and other important personal items have been taken from us and we haven't been able to make a living. All business has been put on hold and losses are mounting. We are trying to seek fairness and justice from Your Honor and this Court. We are sending this Declaration and other documents to all Attorneys of record in this case via FAX.

The information in the Declaration is True and Correct to the Best of the knowledge, information and belief of the individuals who signed it. We do hereby sign under penalty of perjury that the foregoing is correct.

  
Peter Blair  
David Moniz  
Kim Warner

## Attorneys;

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